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British Columbia News

Amendments will fight disinformation, make elections more accessible

<https://news.gov.bc.ca/28297>

Proposed amendments to the Election Act will make it easier for voters in B.C. to cast their ballots, while continuing to combat disinformation, increase transparency and strengthen third-party advertising rules in the provincial electoral process.

The amendments respond to recommendations made by the independent chief electoral officer in the 2020 report *Digital Communications, Disinformation and Democracy*, and the 2022 report *Recommendations for Legislative Change*.

If passed, the amendments will support the ongoing work of Elections BC to maintain fair and impartial electoral processes in B.C. in an increasingly digital world.

“Maintaining the integrity of our elections is fundamental to our democracy,” said Niki Sharma, Attorney General. “With these changes, we’re building on our work to get big money out of politics, protecting our electoral process from the alarming increase in disinformation available online and ensuring online platforms do their part to support transparency throughout the electoral process.”

The proposed amendments include:

- placing restrictions on intentionally making false statements about objective biographical information about candidates and senior officials of political parties;
- cracking down on the spread of deliberate disinformation about the electoral process, such as including disinformation about voting eligibility, dates, times and locations; and
- streamlining the vote-by-mail process to make it more accessible for people.

The amendments will authorize the chief electoral officer to require all digital platforms that publish election advertising to remove non-compliant content within a specified timeframe. Platforms that fail to remove non-compliant content may also face significant and meaningful fines.

Although mail-in voting has been an option for more than 30 years in B.C., the 2020 provincial general election was the first election in which more voters voted at advance voting or by mail than on general voting day.

The proposed amendments complement extensive amendments made to the Election Act in 2019 to implement voting modernization and in 2017 to amend campaign financing rules.

Learn More:

For more information about provincial elections in B.C.: <https://elections.bc.ca/> (<https://elections.bc.ca/>)

To view the 2022 Report of the Chief Electoral Officer on Recommendations for Legislative Change: <https://elections.bc.ca/docs/rpt/2022-CEO-Recommendations.pdf> (<https://elections.bc.ca/docs/rpt/2022-CEO-Recommendations.pdf>)

To view the 2020 Report of the Chief Electoral Officer on Digital Communications, Disinformation and Democracy:

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<https://elections.bc.ca/docs/rpt/2020-CEO-Recommendations.pdf> (<https://elections.bc.ca/docs/rpt/2020-CEO-Recommendations.pdf>)

A backgrounder follows.
Ministry of Attorney General

Media Relations
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Backgrounders

Action on recommendations to make voting in B.C. safer, more accessible

Amendments to the Election Act respond to several of the chief electoral officer's recommendations in their reports:

- Digital Communications, Disinformation and Democracy (May 2020); and
- Recommendations for Legislative Change (May 2022).

The proposed amendments that address recommendations in the report, Digital Communications, Disinformation and Democracy, include:

- introducing restrictions on making false statements about objective biographical information about candidates, senior officials of political parties, or election officials with an intent to influence the election results;
 - This information would be constrained to objective biographical facts, such as whether the individual has been convicted of or charged with an offence, or an individual's citizenship, place of birth, education, professional qualifications or membership in a group or association.
- prohibiting dissemination of material that purports to be made, distributed, transmitted or published by or under the authority of the chief electoral officer, an election official, a candidate, a nomination contestant, a registered political party or registered constituency association;
- introducing restrictions on spreading disinformation about the electoral process, such as disinformation about voting eligibility, dates, times and locations;
- establishing specific criteria for what constitutes an independent third-party advertising sponsor;
- providing the chief electoral officer with the regulatory authority to establish content and format standards for authorization statements (i.e., "taglines" required to be included on all election advertising);
- requiring all digital platforms that publish election advertising to remove non-compliant content within 24 hours following notice by the chief electoral officer and establishing significant and meaningful fines for platforms that fail to remove that content; and
- extending the definition of canvassing on a commercial basis to include the transmission of online messages.

Amendments based on the report, Recommendations for Legislative Change, include:

- requiring voters to provide their date of birth on their voting-certification envelope to confirm their identity, instead of requiring a witness declaration;
- authorizing the chief electoral officer to require identity verification requirements to streamline registering in conjunction with voting by mail;
- allowing voters to return their mail-in voting package to any voting place and allowing the chief electoral officer to specify other dropoff locations, such as Service BC centres;
- establishing a process to correct mistakes in vote-by-mail packages similar to the one established in the Electoral Reform Referendum 2018 Regulation;
- allowing voters who record the name of a party leader to have their vote counted;
- authorizing the chief electoral officer to conduct final count and recounts for ballots administered under the remote voting provisions of the Election Act;
- extending the assistance and translation provisions to voters who vote at a district electoral office; and

- exempting site-based voters, such as people living in residential care facilities, from proving their residential address when voting at that location. These voters would be required to present identification proving their name only.

If passed, the amendments will be implemented in time for the next scheduled provincial general election.

Translations

- ElectionAct_Chinese(simplified).pdf ([https://bcgovnews.azureedge.net/translations/releases/2023AG0007-000248/ElectionAct_Chinese\(simplified\).pdf](https://bcgovnews.azureedge.net/translations/releases/2023AG0007-000248/ElectionAct_Chinese(simplified).pdf))
- ElectionAct_Chinese(traditional).pdf ([https://bcgovnews.azureedge.net/translations/releases/2023AG0007-000248/ElectionAct_Chinese\(traditional\).pdf](https://bcgovnews.azureedge.net/translations/releases/2023AG0007-000248/ElectionAct_Chinese(traditional).pdf))
- ElectionAct_French.pdf (https://bcgovnews.azureedge.net/translations/releases/2023AG0007-000248/ElectionAct_French.pdf)
- ElectionAct_Punjabi.pdf (https://bcgovnews.azureedge.net/translations/releases/2023AG0007-000248/ElectionAct_Punjabi.pdf)
- ElectionAct_Tagalog.pdf (https://bcgovnews.azureedge.net/translations/releases/2023AG0007-000248/ElectionAct_Tagalog.pdf)

Acknowledgment

The B.C. Public Service acknowledges the territories of First Nations around B.C. and is grateful to carry out our work on these lands. We acknowledge the rights, interests, priorities, and concerns of all Indigenous Peoples - First Nations, Métis, and Inuit - respecting and acknowledging their distinct cultures, histories, rights, laws, and governments.